

July 15, 2003 CPC



STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

03PW0339

Douglas R. Sowers  
(Qualla Farms - Section F)

Dale Magisterial District  
Southeast quadrant of Qualla Road and Stockport Drive

REQUEST: Waiver of Development Standards

The applicant is requesting a waiver to the following development standards of the Zoning Ordinance:

Section 19-635(f)(5) requiring signs within a right of way to be located within a median strip. Specifically the applicant is seeking to locate a residential community identification sign between the edge of pavement and right of way line.

Specific language of Section 19-635(f)(5) is included in the Background Section of this report.

RECOMMENDATION

Staff recommends approval for the following reasons:

- A. The applicant's letter adequately addresses the five (5) findings required for consideration of the request.
- B. The dedicated right of way of Stockport Drive has been extensively widened to encompass all property frontage of Qualla Farms-Section F on Qualla Road, thereby preventing the installation of signage per Ordinance requirements.

- C. This type of signage will be helpful for emergency vehicle operators, and for guiding visitors into the community. Further, this is not the type of sign which typically contributes to sign proliferation

NOTE:

The applicant is also required to complete appropriate licensing procedures with The Virginia Department of Transportation and the Chesterfield County Right of Way Department.

GENERAL INFORMATION

Associated Public Hearing Cases:

00SN0127 – Douglas R. Sowers

Developer:

Douglas R. Sowers

Design Consultant:

E. D. Lewis and Associates, P.C.

Location:

Within the right of way of Stockport Drive near its terminus with Qualla Road. The subdivision section was incorrectly noted as Qualla Farms Section 5 in previous correspondence regarding this waiver request. The correct designation is Qualla Farms-Section F. (Sheet 16)

Existing Zoning and Land Use:

Residential (R-12); Subdivision entrance road

Size:

Not applicable

Adjacent Zoning and Land Use:

North - R-12; vacant  
South - A; Single family residential  
East - R-12 and R-7; Single family residential (Qualla Farms-Section F)  
West - A; Single family residential

## BACKGROUND

The applicant intends to locate a freestanding residential community identification sign within the public right of way of Stockport Drive. Since Stockport Drive has been constructed without a median strip, the applicant cannot meet the standards for signage as required within Section 19-635(f)(5) of the Chesterfield County Zoning Ordinance:

### **Section 19-635. Signs not requiring permits.**

The following signs may be erected without a sign permit, as long as they comply with the regulations in this chapter:

(f) Signs in public rights-of-way if approved by the Virginia Department of Transportation and limited to:

(5) Community identification signs located in the median of an entrance road within a nonresidential community, residential community or mixed use community.

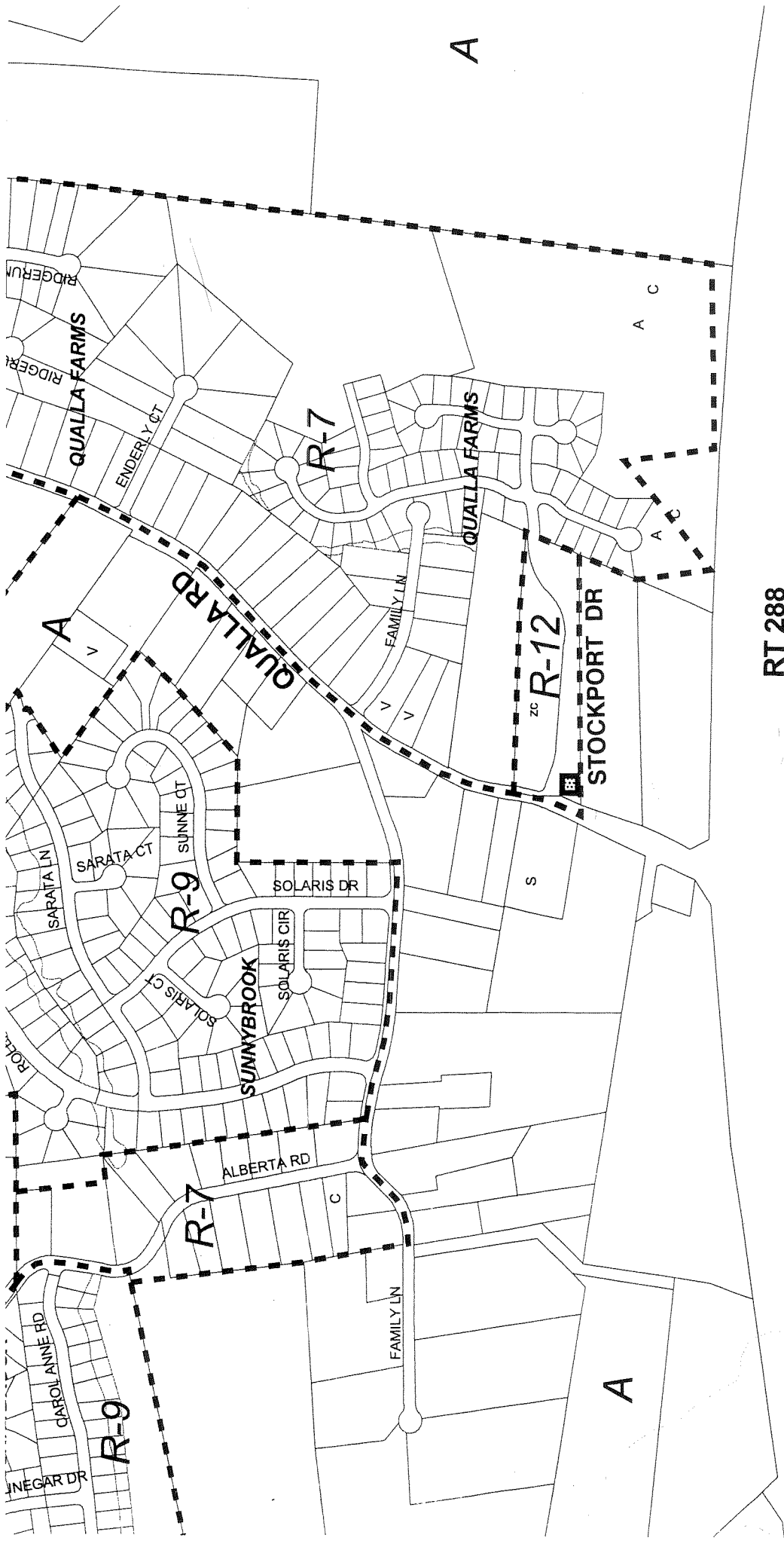
Except for this identification sign in the median, the Ordinance requires placement of any other identification signs to be located within the bounds of the platted subdivision, typically in common open space.

The subject property was subdivided by Douglas R. Sowers in 2002. The subdivision parcels were located approximately 1,000 feet east of Qualla Road, with a variable width right of way connecting the “body” of the subdivision to Qualla Road. Due to wetland constraints, and in order to ensure access to parcels adjacent to the dedicated right of way, the right of way exceeds 100 feet along much of its length. This right of way is considered part of Qualla Farms-Section F, as it was created as part of the recorded plat.

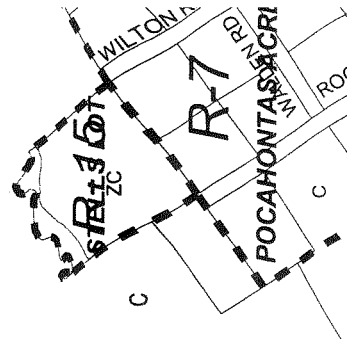
The strict application of the Zoning Ordinance would prohibit this subdivision from having any signage along Qualla Road, possibly having an affect on emergency services and guiding visitors into the neighborhood. The granting of this waiver will permit the subdivision to have adequate signage within an otherwise unused piece of land. The attached location plan for the sign shows that the sign will meet Zoning Ordinance standards in regards to setbacks off of the edge of pavement. The Virginia Department of Transportation and the County Right of Way departments also have authority to govern the location of the sign through their respective licensing procedures.

## CONCLUSIONS

The Zoning Ordinance requires that the Planning Commission consider five (5) findings in its determination of development standards waiver requests. Staff recommends approval of the waiver.



RT 288



03PW0339  
**QUALLA FARMS SEC. F**  
**SIGN WAIVER**

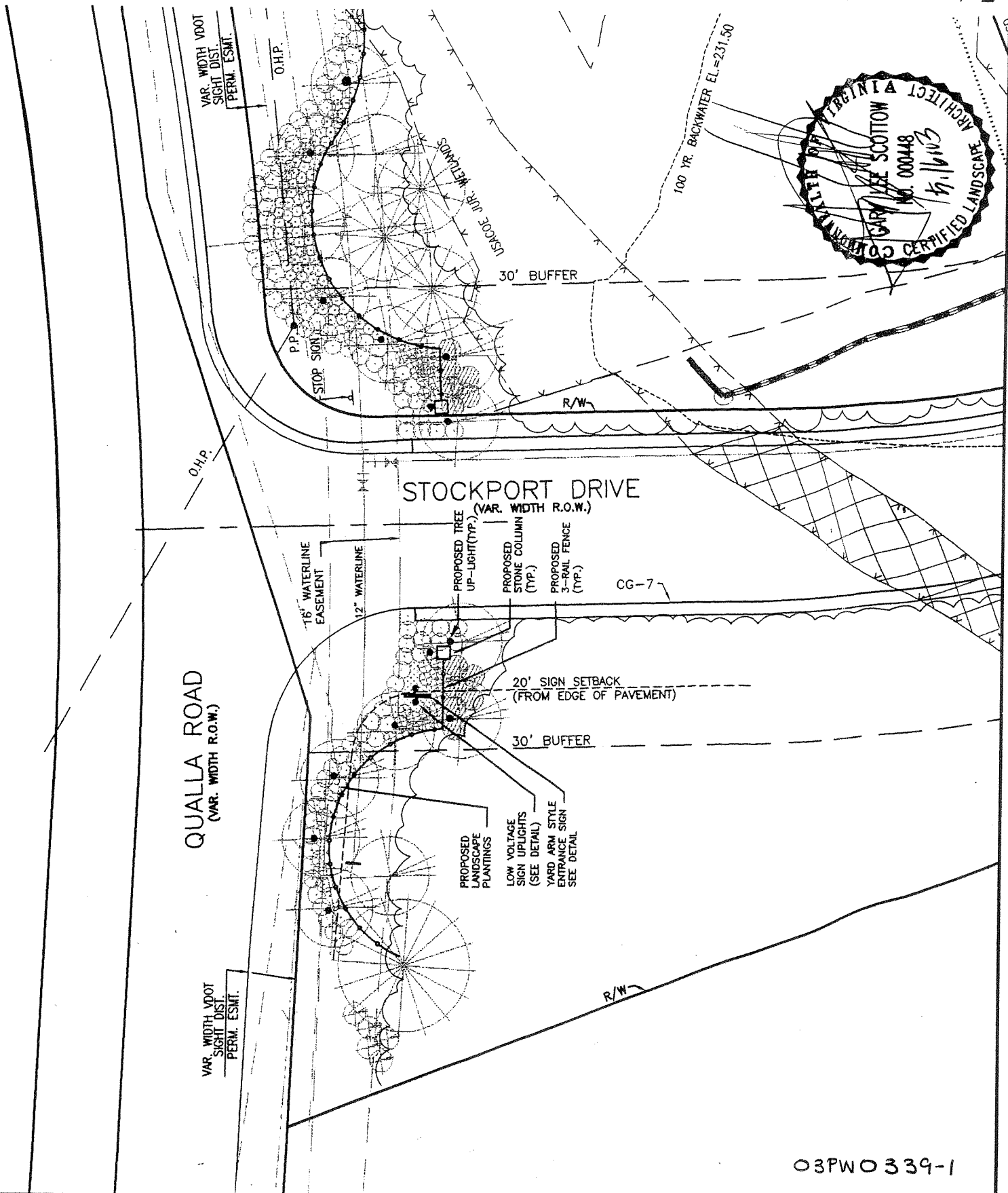
N

600 0 600 Feet



PLAN

Entrance Layout Plan  
 Scale: 1" = 30'-0"



03PWO339-1

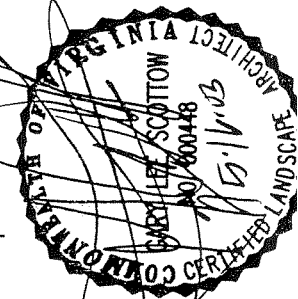


QUALLA FOREST

MATOACA DISTRICT

ENTRANCE SIGN LOCATION PLAN

Scale: 1" = 10'-0"



STOCKPORT DRIVE

(VAR. WIDTH R.O.W.)

12" WATERLINE

16' WATERLINE EASEMENT

CG-7

20' SIGN SETBACK  
(FROM EDGE OF PAVEMENT)

30' BUFFER

VAR. WIDTH VDOT SIGHT  
DISTANCE EASEMENT

QUALLA ROAD

PROPOSED  
LANDSCAPE  
PLANTINGS

LOW VOLTAGE  
SIGN UPLIGHTS  
(SEE DETAIL)

YARD ARM STYLE  
ENTRANCE SIGN  
SEE DETAIL

03PW0339-2

PLAN

May 16, 2003



County of Chesterfield  
Planning Commission  
C/o Planning Department  
P.O. Box 40  
Chesterfield, Virginia 23832

Re: Qualla Forest Entrance  
(Qualla Farms, Section F)  
Request for a Development Standards Waiver

Dear Members of the Planning Commission:

Please accept this letter as a Request for a Development Standards Waiver, as allowed under Section 19-19 of the Chesterfield County Zoning Ordinance, to allow a Residential Community Entrance/Identification Sign to be located within VDOT's Right of Way. Specifically, this request is allow the Community Entrance/Identification Sign for Qualla Forest to be located within the Right-of Way of Stockport Drive, as shown on the attached plans. This request is for relief from the development standard in Section 19-635 (a) Sign design and setback requirements, which requires all signs '...along public right-of-ways, the setback may be reduced to a minimum of 20' from the edge of pavement or the face of curb, but in no case shall a sign be setback less than 1' from the property line'. The proposed sign does meet the setback requirement from the edge of pavement or face of curb standard, but does not meet the latter standard of 1' outside the R.O.W.

Due to the unusually limiting site constraints, we located the sign in the best site available for such purpose. The location for the sign along the frontage of the development is limited in location by a Va. Power overhead power line and power poles, the existing 12" County waterline and accompanying 16' utility easement, a variable width sight distance easement, and a U.S.C.O.E. Jurisdictional wetland to the north of the entrance. It must be noted that Stockport Drive was dedicated to the County with a variable with right of way that has a width of 165' as it meets Qualla Road.

RECEIVED

MAY 19 2003

DIRECTOR  
PLANNING DEPARTMENT

This dedication was done at the request of the County to allow for future road improvements along Qualla Road for the expansion of ramps for Route 288. In addition, the sign could not be located to the north of Stockport Drive outside the right-of-way because it would be located on an off-site parcel, which is not a part of this community, which in turn would be a violation of the Zoning Ordinance, which does not allow off-site signs. (1)

The waiver requested will alleviate an obvious hardship for the developer and ultimately the owners of property within this neighborhood of not having a community identification marker along the well-traveled Qualla Road. The allowance of a community identification sign along a collector road is needed for fire and emergency services response time, mail distribution, as well as marketability of property. (2)

This modification of the development standards to allow this sign within VDOT's right-of-way will not be detrimental to the adjacent properties and will not adversely affect property values within the community. The developer is providing for the installation of a very high quality sign, with tasteful ambient up-lighting as well as an extensive landscape and fencing installation to complete this entrance feature. In addition, the proposed signage will not have a negative impact on the public health, safety or general welfare. (3)

The site situation of this development is unique in that the entrance is constrained by many physical features such as topography, wetlands, utilities, etc. that the location chosen for the sign is probably the only on-site available for such a structure. Literally, the sign was located by the limitations and/or constraints of the site, which forced the sign to the current proposed location. (4)

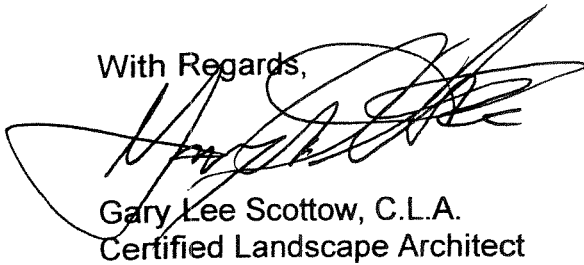
By granting this modification, the project will be consistent with the comprehensive plan. (5)

Please see the attached plans and details for the proposed sign structure. As one can see, the sign will be an attractive feature in the community and will serve to provide the members of this neighborhood with a sense of community and a sense of place.

We hereby ask that the Planning Commission to favorably consider and approve our request for this Development Standards Waiver.

Thank you for your time and consideration in this matter.

With Regards,

A handwritten signature in black ink, appearing to read 'Gary Lee Scottow', is written over the typed name and title.

Gary Lee Scottow, C.L.A.  
Certified Landscape Architect

GLS/gls

Attachments